UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3*/ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-34 are pending in this application.

Claim Objections

2.   **Claim 3 is objected to because of the following informalities:**

Claim 3 appears to include typo graphical error. Specifically, "an extensible

profile" on line 5 of claim 2 may have been used in error. The "an" used in the phrase

"**an** extensible profile" seems to suggest that "**an** extensible profile" is different from the

other "extensible profile" used earlier in the claim(s). From the Examiner's point of view

"**an** extensible profile" is not different from the other "extensible profile" used earlier in

the claim(s).

For this reason the examiner would change "an extensible profile" to "the

extensible profile".

3.   **Claim 31 is objected to because of the following informalities:**

It is not clear whether "a profile structure" on line 3 of claim 31 is different from

"an extensible profile" on line 6 of claim 31.

For the purpose of this office action the Examiner would change "an extensible

profile" on lines 6 and 8 to "the profile structure".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 26 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated

by U.S. Pub. No. 2002/0065952 A1 issued to Sullivan et al.

5.   As to claim 26, Sullivan teaches a method of assembling a topology of digital

media components on a computer-based processing device, comprising:

reading lists of capabilities from a profile register ("…API 104 are selectively

invoked…" page 5 paragraph 0066, Block 504 page 16 paragraph 0254);

searching a component register (Operational Data Structure(s) 204) for entries

containing the capabilities indicated in the profile register ("…selects…" Page 5

paragraphs 0062/0066, "…negotiated…" page 5 paragraph 0068, Block 504 page 16

paragraph 0255) and

rejecting components that lack the capabilities indicated in the profile register, or

that have capabilities incompatible with the capabilities in the profile register ("…does

not support…" page 5 paragraph 0066), wherein the profile register determines which

components are needed for a selected task requested by an application (API 104 page

5 paragraph 0066); and

wherein the profile register may be updated or modified without modifying the

application ("...**dynamically** generate auto-negotiation data structure(s) 202..." page 17

paragraph 0273, "...**dynamically** adjusts...modifies..." page 18 paragraph 0275).

6.   As to claim 29, Sullivan teaches the method of claim 26, further comprising

merging the extensible profiles' capability list with additional capabilities from a user or

an application used in the search process ("...dynamically adjusts one or more

operational settings...modifies..." page 18 paragraph 0275).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 1-25, 27, 30, 31 and 34 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over U.S. Pub. No. 2002/0065952 A1 issued to Sullivan et al. in view

of U.S. Pat. No. 6,044,408 issued to Engstrom et al.

8.   As to claim 1, Sullivan teaches the method of selecting at least one digital media

component to construct a device that accomplishes one or more tasks identified in an

extensible profile, comprising:

retrieving, from the extensible profile (Auto-Negotiation Data Structure(s) 202), at

least one required capability for performing the selected task as requested by an

application ("…invoked…to identify…capability…" page 5 paragraphs 0062-0064);

selecting, from a component register (Operational Data Structure(s) 204), one or

more component entries with capability lists that include the required capability

("…selects…" Page 5 paragraphs 0062/0066, "…negotiated…" page 5 paragraph 0068,

page 16 paragraph 0255) and wherein the application uses the extensible profile to

determine which of the one or more components are needed for the select task

("…identify the media decoding capability…" page 5 paragraph 0064), and wherein the

extensible profile may be updated or modified without modifying the application (Auto-

negotiation Data Structure(s) 202 page 5 paragraph 0062, "…generated…" page 16

paragraph 0253, "…without priori knowledge…" page 16 paragraph 0256,

"…dynamically generate auto-negotiation data structure(s) 202…" page 17 paragraph

0273, "…dynamically adjusts…modifies…" page 18 paragraph 0275).

Sullivan is silent with reference to instantiating one or more components

corresponding to the selected entries, wherein the instantiating occurs via an

Application Programming Interface (API).

Engstrom teaches instantiating one or more components corresponding to the

selected entries, wherein the instantiating occurs via an Application Programming

Interface (API) ("…API…" Col. 4 Ln. 19 – 29, Col. 8 Ln. 59 – 67, Col. 9 Ln. 1 – 6).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Sullivan with the teaching of Engstrom

because the teaching of Engstrom would improve the system of Sullivan by optimizing

application programming interface function calls including allowing application

programming functions to access and manipulating surface memory holding a pixmap to

be drawn on a display device (Engstrom Col. 4 Ln. 19 – 23).

9.   As to claim 2, Sullivan teaches the method of claim 1, wherein retrieving from the

extensible profile at least one required capability for performing the selected task

comprises: receiving a request to perform a selected task ("…decoder 160 issues the

ConnectInfo command…" page 5 paragraph 0066, "…issuing configuration

commands…" page 16 paragraph 0253); and searching the extensible profile for one or

more entries corresponding to the selected task ("…invoked…to identify…capability…"

page 5 paragraphs 0062-0064).

10.   As to claim 3, Sullivan teaches the method of claim 1, wherein a profile register

comprises at least one extensible profile, and wherein each extensible profile comprises

a key that identifies a task ("…GUID…" page 5 paragraph 0067).

11.   As to claim 4, Sullivan teaches the method of claim 3, wherein the extensible

profile comprises at least one subprofile entry, wherein the subprofile entry identifies a

capability required to perform the task associated with the profile entry (Auto-

Negotiation Data Structure(s) 202 page 5 paragraphs 0062 – 0066).

12.   As to claim 5, Sullivan teaches the method of claim 4, wherein the subprofile

entry comprises: a subprofile identifier that uniquely identifies the subprofile entry

("…GUID…" page 5 paragraph 0067); and one or more operating parameters

associated with the function (Operational Data Structure(s) 204 page 5 paragraphs

0062 – 0066, page 16 paragraph 0253 – 0256).

13.   As to claim 6, Sullivan teaches the method of claim 4, wherein selecting one or

more entries from a component register that includes a capability list with the required

capability comprises searching a component register for entries with capability lists

comprising an identifier ("…GUID…") equal to one or more subprofile identifiers

associated with the selected task (Operational Data Structure(s) 204 page 5 paragraphs

0062 – 0066, page 16 paragraph 0253 – 0256).

14.   As to claim 7, Sullivan teaches the method of claim 6, wherein selecting, from a

component register, one or more entries whose capability lists include the required

capability comprises searching a component register entry's capability list for entries

comprising: an identifier equal to one or more subprofile identifiers associated with the

selected task ("…GUID…"); and operating parameters compatible with the operating

parameters specified in the subprofile (Operational Data Structure(s) 204 page 5

paragraphs 0062 – 0066, page 16 paragraph 0253 – 0256).

15.   As to claims 8 and 9, see the rejection of claims 1 and 6 respectively.

16.   As to claim 10, Sullivan teaches an apparatus, comprising:

a processor (figure 1/Processors or Processing Unit 132);

a memory module connected to the processor and comprising logic instructions

operative to configure the processor (figure 1) to:

retrieve, from an extensible profile (Auto-Negotiation Data Structure(s) 202), at

least one required capability for performing a selected task ("...invoked...to

identify...capability..." page 5 paragraphs 0062 – 0064);

select, from a component register (Operational Data Structure(s) 204), one or

more entries that include the required capability in their capability list ("...selects..."

Page 5 paragraphs 0062/0066, "...negotiated..." page 5 paragraph 0068, page 16

paragraph 0255) and wherein the application uses the extensible profile to determine

which of the one or more components are needed for the select task ("...identify the

media decoding capability..." page 5 paragraph 0064) and wherein the extensible profile

may be updated or modified without modifying the application (Auto-negotiation Data

Structure(s) 202 page 5 paragraph 0062, "...generated..." page 16 paragraph 0253,

"...without priori knowledge..." page 16 paragraph 0256, "...dynamically generate auto-

negotiation data structure(s) 202..." page 17 paragraph 0273, "...dynamically

adjusts...modifies..." page 18 paragraph 0275).

Sullivan is silent with reference to instantiating via an application programming

interface (API) one or more components corresponding to the selected entries.

Engstrom teaches instantiating via an application programming interface (API) one or more components corresponding to the selected entries ("...API..." Col. 4 Ln. 19 – 29, Col. 8 Ln. 59 – 67, Col. 9 Ln. 1 – 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sullivan with the teaching of Engstrom because the teaching of Engstrom would improve the system of Sullivan by optimizing application programming interface function calls including allowing application programming functions to access and manipulating surface memory holding a pixmap to be drawn on a display device (Engstrom Col. 4 Ln. 19 – 23).

17.   As to claims 11 and 12, see the rejection of claims 2 and 3 respectively.

18.   As to claims 13-15, see the rejection of claims 4-6 respectively.

19.   As to claim 16, see the rejection of claim 7 above.

20.   As to claim 17, Sullivan teaches a method of interfacing digital media components on a computer-based processing device, comprising:

a component register comprising of entries which contain listings of capabilities of digital media components accessible to the computer-based processing device (Operational Data Structure(s) 204 page 5 paragraphs 0064 – 0066, page 16 paragraph 0066); and

in response to a request from an application for digital media services

("...decoder 160 issues the ConnectInfo command..." page 5 paragraph 0066,

"...issuing configuration commands..." page 16 paragraph 0253), searching the

component register for a component capable of providing the requested service

("...selects..." Page 5 paragraphs 0062/0066, "...negotiated..." page 5 paragraph 0068,

page 16 paragraph 0255), wherein the application uses an extensible profile (Auto-

Negotiation Data Structure(s) 202) to determine which of the digital media components

are needed for the selected task ("...identify the media decoding capability..." page 5

paragraph 0064), wherein the extensible profile may be updated or modified without

modifying the application (Auto-negotiation Data Structure(s) 202 page 5 paragraph

0062, "...generated..." page 16 paragraph 0253, "...without priori knowledge..." page

16 paragraph 0256, "...dynamically generate auto-negotiation data structure(s) 202..."

page 17 paragraph 0273, "...dynamically adjusts...modifies..." page 18 paragraph

0275).

Sullivan is silent a constructing a component register.

Engstrom teaches a constructing a component register ("...saves...fills..." Col. 8

Ln. 10 – 26, "...create an instance..." Col. 9 Ln. 62 – 67).

It would have obvious to one of ordinary skill in the art at the time the invention

was made to modify the system of Sullivan with the teaching of Engstrom because the

teaching of Engstrom would improve the system of Sullivan by providing a multimedia

application programming interface that are implemented as objects that represent the

underlying device hardware for rendering display and sound services (Engstrom Col. 9 Ln. 62 – 67, Col. 1 – 4).

21.   As to claim 18, Engstrom teaches the method of claim 17, wherein constructing a component register with entries with lists of capabilities of digital media components accessible to the computer-based processing device comprises registering a digital media component ("…saves…fills…" Col. 8 Ln. 10 – 26, "…create an instance…" Col. 9 Ln. 62 – 67).

22.   As to claim 19, Engstrom teaches the method of claim 17, wherein the component register comprises an entry for a plurality of digital media components registered with the computer- based processing device ("…saves…fills…" Col. 8 Ln. 10 – 26, "…create an instance…" Col. 9 Ln. 62 – 67), wherein each entry comprises: a first data field that identifies the digital media component ("…pointer…" Col. 10 Ln. 44 – 56); one or more groups of fields, where a data field that identifies a function performed by the digital media component ("…member function..." Col. 10 Ln. 44 – 56); and another data field that identifies one or more operational parameters with an associated function identified in the first data field in the group ("…another pointer..." Col. 10 Ln. 44 – 56).

23.   As to claim 20, Engstrom teaches the method of claim 19, wherein the data fields are logically linked or stored in a common data structure (Media Device Object 180/182/184 Col. 10 Ln. 15 – 61).

24.   As to claim 21, Sullivan teaches the method of claim 17, further comprising

constructing a profile register comprising at least one extensible profile representing a

digital media function (Operational Data Structure(s) 204 page 5 paragraphs 0064 –

0066, page 16 paragraph 0066).

25.   As to claim 22, Sullivan teaches the method of claim 21, wherein searching the

component register for a component capable of providing the requested service

comprises: mapping the requested service onto the profile register to select the

extensible profile corresponding to the service (Block 504 page 16 paragraph

0254/0255); and mapping the selected extensible profile onto the component register to

select one or more digital media components capable of providing the requested service

(Block 504 page 16 paragraph 0254/0255).

26.   As to claim 23, Sullivan teaches the method of claim 17, further comprising

instantiating the selected one or more components (Multimedia Accelerator 174A-N

page 4 paragraph 0060).

27.   As to claim 24, Sullivan teaches the method of claim 23, further comprising

connecting the one or more instantiated components to other digital media components

to form a device that performs a series of digital media tasks (Multimedia Accelerator

174A-N page 4 paragraph 0060, page 15 paragraph 0243).

28.　　As to claim 25, Sullivan teaches a method of interfacing digital media

components on a computer- based processing device, comprising:

　　　　a component register comprising at least one entry including listings of

capabilities of digital media components accessible to the computer- based processing

device (Operational Data Structure(s) 204 page 5 paragraphs 0064 – 0066, page 16

paragraph 0066), wherein at least one listing comprises one or more data fields

(Operational Data Structure(s) 204), including: a first data field that identifies a function

performed by a digital media component ("…GUID…" page 5 paragraph 0067) and

　　　　a second data field that identifies one or more operational parameters associated

with a function identified in the first data field ("…a number of operational parameters…"

page 5 paragraph 0068);

　　　　constructing a profile register application (Auto-negotiation Data Structure(s) 202)

comprising at least one record representing a digital media function ("….generated by

decoder 160…" page 16 paragraph 0253), the record comprising a data field having one

or more operating parameters associated with the digital media function ("…processing

capability…" page 5 paragraph 0062); and

　　　　in response to a request from an application for digital media services:

　　　　searching the profile register for a record that corresponds to the requested

media service ("…invoked…to identify…capability…" page 5 paragraphs 0062 – 0064);

and

searching the component register for a component capable of providing the

requested service ("...selects..." Page 5 paragraphs 0062/0066, "...negotiated..." page

5 paragraph 0068, page 16 paragraph 0255);

wherein the application uses an profile register to determine which of the digital

media components are needed for the selected task ("...receiving the profile..." Col. 4

Ln. 1 – 13, "...retrieves the client's ...profile from storage 312..." Col. 8 Ln. 45 – 55),

wherein the profile register may be updated or modified without modifying the

application (Auto-negotiation Data Structure(s) 202 page 5 paragraph 0062,

"...generated..." page 16 paragraph 0253, "...without priori knowledge..." page 16

paragraph 0256, "...dynamically generate auto-negotiation data structure(s) 202..."

page 17 paragraph 0273, "...dynamically adjusts...modifies..." page 18 paragraph

0275).

Sullivan is silent with reference to constructing a component register.

Engstrom teaches a constructing a component register ("...saves...fills..." Col. 8

Ln. 10 – 26, "...create an instance..." Col. 9 Ln. 62 – 67).

It would have obvious to one of ordinary skill in the art at the time the invention

was made to modify the system of Sullivan with the teaching of Engstrom because the

teaching of Engstrom would improve the system of Sullivan by providing a multimedia

application programming interface that are implemented as objects and represent the

underlying device hardware for rendering display and sound services (Engstrom Col. 9

Ln. 62 – 67, Col. 1 – 4).

29.   As to claim 27, Sullivan teaches the method of claim 26 further comprising:

attempting to apply an extensible profile configuration to the component ("…selects…"

page 5 paragraphs 0062/0066, "…negotiated…" page 5 paragraph 0068, page 16

paragraph 0255).

        Engstrom teaches instantiating one or more components ("…API…" Col. 4 Ln. 19

– 29, Col. 8 Ln. 59 – 67, Col. 9 Ln. 1 – 6).

30.   As to claim 30, Engstrom teaches the method of claim 29, wherein the additional

capabilities include a vendor identification or certification identification

("…HAL…capable of determining the version and capabilities…" Col. 12 Ln. 43 – 48).

31.   As to claim 31, Sullivan teaches a method of assembling and configuring a

topology of digital media components on a computer-based processing device,

comprising:

        using an profile structure (Auto-negotiation Data Structure(s) 202) and one or

more associated capability lists to select a component ("…capability…" page 5

paragraphs 0062 – 0064);

        applying the profile structure to the selected component ("…selects…" Page 5

paragraphs 0062/0066, "…negotiated…" page 5 paragraph 0068, page 16 paragraph

0255); and

        logically connecting the component to one or more additional components (API

104 page 15 paragraphs 0243/0251), wherein the profile structure may be updated or

modified without modifying the application (Auto-negotiation Data Structure(s) 202 page

5 paragraph 0062, "…generated…" page 16 paragraph 0253, "…without priori

knowledge…" page 16 paragraph 0256, "…dynamically generate auto-negotiation data

structure(s) 202…" page 17 paragraph 0273, "…dynamically adjusts…modifies…" page

18 paragraph 0275).

Sullivan is silent with reference to instantiating the selected component.

Engstrom teaches instantiating the selected component ("…API…" Col. 4 Ln. 19

– 29, Col. 8 Ln. 59 – 67, Col. 9 Ln. 1 – 6).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Sullivan with the teaching of Engstrom

because the teaching of Engstrom would improve the system of Sullivan by optimizing

application programming interface function calls including allowing application

programming functions to access and manipulating surface memory holding a pixmap to

be drawn on a display device (Engstrom Col. 4 Ln. 19 – 23).

32.   As to claim 34, Sullivan teaches a method of configuring a topology of encoding

and multiplexing digital media components on a computer-based processing device,

comprising:

searching an extensible profile (Auto-negotiation Data Structure(s) 202) for a

multiplexer subprofile configuration ("…invoked…to identify…capability…" page 5

paragraphs 0062 – 0064);

searching a component register (Operational Data Structure(s) 204) for a

multiplexer object compatible with the multiplexer subprofile ("…selects…" Page 5

paragraphs 0062/0066, "…negotiated…" page 5 paragraph 0068, page 16 paragraph

0255);

configuring the multiplexer by applying the subprofile configuration settings using

an interface API ("…ConnectConfig data structure…" page 5 paragraph 0065, figure 5

page 16 paragraphs 0254 – 0255);

connecting the multiplexer to an output of a content source, and, for each input

stream of the multiplexer ("…ConnectMode data structure…" page 5 paragraph 0066):

searching the extensible profile for an encoder subprofile ("…invoked…to

identify…capability…" page 5 paragraphs 0062 – 0064);

searching the component register for a multiplexer object compatible with the

subprofile ("…selects…" Page 5 paragraphs 0062/0066, "…negotiated…" page 5

paragraph 0068, page 16 paragraph 0255);

configuring the encoder by applying the subprofile configuration settings using an

interface API ("…ConnectConfig data structure…" page 5 paragraph 0065, figure 5

page 16 paragraphs 0254 – 0255); and

connecting the encoder to the multiplexer ("…any codec…" page 15 paragraph

0243), wherein the extensible profile determines which multiplexer objects are

compatible with the multiplexer subprofile information task ("…identify the media

decoding capability…" page 5 paragraph 0064), wherein the extensible profile may be

updated or modified without modifying a requesting application (Auto-negotiation Data

Structure(s) 202 page 5 paragraph 0062, "…generated…" page 16 paragraph 0253,

"…without priori knowledge…" page 16 paragraph 0256, "…dynamically generate auto-

negotiation data structure(s) 202…" page 17 paragraph 0273, "…dynamically

adjusts…modifies…" page 18 paragraph 0275).

Sullivan is silent with reference to instantiating a multiplexer.

Engstrom teaches instantiating a multiplexer ("…API…" Col. 4 Ln. 19 – 29, Col. 8

Ln. 59 – 67, Col. 9 Ln. 1 – 6).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Sullivan with the teaching of Engstrom

because the teaching of Engstrom would improve the system of Sullivan by optimizing

application programming interface function calls including allowing application

programming functions to access and manipulating surface memory holding a pixmap to

be drawn on a display device (Engstrom Col. 4 Ln. 19 – 23).

33.   **Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.**

Pub. No. 2002/0065952 A1 issued to Sullivan et al. in view of U.S. Pat. No.

6,044,408 issued to Engstrom et al. as applied to claim 27 above, and further in

view of U.S. Pat. No. 6,185,625 B1 issued to Tso et al.

34.   As to claim 28, Sullivan as modified Engstrom teaches the method of claim 27,

further comprising: and rejecting components that have capabilities incompatible with

the capabilities in the profile register ("…does not support…" page 5 paragraph 0066).

Engstrom and Sullivan are silent with reference searching for additional

components in the component register if the attempt to apply an extensible profile

configuration to the instantiated component fails.

Tso teaches searching for additional components in the component register if the

attempt to apply an extensible profile configuration to the instantiated component fails

("...determines whether or not scale the content...by default..." Col. 10 Ln. 11 – 20);

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Engstrom and Sullivan with the teaching of

Tso because the teaching of Tso would improve the system of Engstrom and Sullivan

by providing a process for scaling or encoding contents without regard to client

capability (Col. 9 Ln. 61 – 67, Col. 10 Ln. 1 – 20).

35.   Claims 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Pub. No. 2002/0065952 A1 issued to Sullivan et al. in view of U.S. Pat.

No. 6,044,408 issued to Engstrom et al. as applied to claim 31 above, and further

in view of U.S. Pub. No. 2003/0097458 A1 issued to Bourges-Sevenier.

36.   As to claim 32, Engstrom and Sullivan are silent with reference to the method of

claim 31, wherein the profile structure comprises a field that includes a list of mandatory

settings; and wherein applying the extensible profile to the selected component

comprises generating a signal if the selected component cannot implement a mandatory

setting.

Bourges-Sevenier teaches the method of claim 31, wherein the profile structure comprises a field that includes a list of mandatory settings ("...first portion..." page 2 paragraph 0019); and wherein applying a profile to the selected component comprises generating a signal if the selected component cannot implement a mandatory setting ("Otherwise, the method is terminated..." page 1 paragraph 0007, page 2 paragraph 0019).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Engstrom and Sullivan with the teaching of Bourges-Sevenier because the teaching of Bourges-Sevenier would improve the system of Engstrom and Sullivan by improving the encoding, transmitting and decoding of audiovisual stream data through the definition of new nodes and determining/indicating when the encoding or decoding is not possible.

37.   As to claim 33, Bourges-Sevenier teaches the method of claim 32, wherein an application uses the signal to determine whether the profile structure was implemented successfully ("Otherwise, the method is terminated..." page 1 paragraph 0007, page 2 paragraph 0019).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Charles E. Anya whose telephone number is 571-272-

3757. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

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/Meng-Ai An/
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